

REMARKS

This response, filed in reply to the Office Action dated October 2, 2007, is believed to be fully responsive to each point of the rejection raised therein. Accordingly, favorable reconsideration and allowance of the subject application are respectfully requested.

Claims 1-2 and 4-13 are all the claims pending in the application.

Rejection under 35 U.S.C. § 102/103

Claims 1, 2, 4, and 8-13 are rejected under 35 U.S.C. § 102 (a) as anticipated by or, in the alternative, rejected under 35 U.S.C. § 103(a) as being unpatentable over Toga (U.S. Patent No. 6,041,355; hereinafter "Toga"). Applicant respectfully traverses this rejection.

Claim 1 recites:

A method of providing access control for user terminals connected to a private network, wherein said terminals access a computer network enabling exchange of information via a private access node to which said terminals are connected and an access server, the method comprising:

temporarily storing a multimedia data stream received from said computer network and addressed to a user terminal of said user terminals connected to said private network in response to an access request from said user terminal in order to perform filtering based on data content of said multimedia data stream, said filtering, authorizing or blocking transmission of said multimedia data stream to said terminal as a function of particular criteria provided from said private network and applied to the multimedia data stream received at said private access node, and

analyzing a signature included in said multimedia data stream for the purpose of said filtering.

On the other hand, Toga relates to "a method of controlling the transfer of data between a first and second computer network comprises parsing content description

language received from the first computer network by the second computer network to determine current tag information within the content description language. See the abstract. These tags are further depicted in FIG. 2. The Examiner correctly concedes that Toga teaches tags, e.g., pricetag, see page 5 of the Office action. However, the Examiner maintains that “the price tag disclosed in Togo (col. 4, lined 14-17, for example) reads on a signature. Applicant respectfully disagrees with the Examiner position.

Applicant respectfully submits that a tag is not a signature as defined in the art. Normally, tags are used for displaying the data in an appropriate manner by a browser. However, tags can also convey other information about the content of data. Toga takes advantage of tags that can be used by the proxy to determine whether to allow subsequent data transfer. See col. 3, lines 33-45. Toga teaches a simple comparison step to compare for example cost of the content. If the cost is higher than a particular threshold than the content is not allowed to be transferred. On the other hand, a signature is much more sophisticated. For example, a signature can indicate the existence of restrictions on the used of the data that it accompanies. By contrast, a tag does not communicate a restriction, it also indicates the content of the data which accompanies it. In Toga, it is the Proxy server which analyzed the tag and based on type of tag associate the tag with a particular restriction. See col. 4, lines 14-20.

Applicant respectfully notes that a claim is not anticipated under 35 U.S.C. § 102 unless each of the elements as set forth in the claim is found, either expressly or inherently described, in a single prior art reference. Further, the identical invention must be shown in as complete detail as is contained in the claim. Finally, the elements must be arranged as required by the claim. Manual of Patent Examination and Procedures (MPEP) section 2131. Here, Toga does not teach “analyzing a **signature** included in said multimedia data stream for the purpose of said filtering.” Emphasis added. Therefore, Applicant respectfully submits that the claimed invention is not anticipated by Toga. Consequently, Applicant respectfully requests the withdrawal of the rejection and earnestly solicits the allowance of claim 1.

Applicant further submits that this Toga would not have rendered the claims obvious at the time of the invention. Toga does not teach or suggest “analyzing a signature...” The Examiner did not provide any reasons why or one skilled in the art would change the tags taught by Toga with a signature as required in the claimed invention. Therefore, Applicant respectfully requests that the alternative rejection based on 35 U.S.C. § 103 be withdrawn.

Claims 2, 4, 8-9, 11, and 12 are patentable at least by virtue of its dependency on claim 1.

Claim 10 recites similar limitations as in claim 1 and is patentable for analogous reasons.

Claims 5-7 are rejected under 35 U.S.C. § 103 (a) as being unpatentable over Toga in view of Fritch (U.S. Patent No. 6,105,132; hereinafter “Fritch”)¹ in view of Cotten (U.S. Patent no. 6,330,590; hereinafter “Cotten”). Applicant respectfully traverses this rejection.

The Examiner correctly concedes that “Toga in view of Fritch do [not] explicitly teach retaining non-conformance data to enable interruption of a subsequently received data stream.” However, the Examiner maintains that “Cotten teaches counting, for control purposes, the number of times that data of a particular content is received and retaining non-conformance data to enable interruption of a subsequently received data stream”, citing in support col. 3, line 46 to col. 4, line 52. Further, the Examiner concludes that “it would have been obvious to one of ordinary skill in the art at the time of Applicant’s invention to retain non-conformance data to enable interruption of a subsequently received data stream as taught by Cotten. One of ordinary skill in the art

¹ Applicant notes that Fritch is never discussed in the body of the rejection. It further appears that the citation is a typo and that the Examiner only intended to reject the claims over Toga in view of Cotten. Therefore, Applicant will not address at length the combination of Toga in view of Fritch. It is sufficient to mention that the combination of Toga in view of Fritch in further view of Cotten would not have rendered the claims 5-7 obvious. Both Fritch and Cotten do not cure the deficient teachings of Toga.

would have been motivated to perform such a modification in order to filter not only non-permitted but also unwanted data.” Applicant respectfully traverses the Examiner’s position.

Cotten relates to method and system for detecting bulk email. The bulk e-mail is detected by monitoring live e-mails flow stream...after detection, a numerical signature identification code is established. See col. 2, line 17-34. Therefore, Cotten does not cure the deficient teachings of Toga. For example, Cotten does not teach “analyzing a signature included in said multimedia data stream for the purpose of said filtering.”

Emphasis added.

Moreover, Cotten only teaches to store in a register the signature which was calculated in the detecting step as discussed above. Id, see also, col. 3, lines 51-55, and col. 4, line 19-24. This teaching is not analogous to that “said multimedia data stream stores in the determination of conformance”, as recited in claim 5 or “data for which non-conformance has been detected in said multimedia data stream is retained to enable interruption of subsequently received multimedia data stream”, as recited in claim 6. Therefore, for at least these reasons, Applicant submits that the claims are not obvious in view of the combination.

Claim 13 is rejected under 35 U.S.C. § 103 (a) as being unpatentable over Toga in view of Hitson (U.S. Pub. No. 2002/0010759; hereinafter "Hitson"). Applicant respectfully traverses this rejection.

Applicant respectfully submits that Hitson does not compensate for the deficient teachings of Toga, and therefore claim 13 is at least patentable by virtue of its dependency on claim 1. Accordingly, Applicant respectfully requests that the Examiner withdraw the rejection of claim 13.

Conclusion

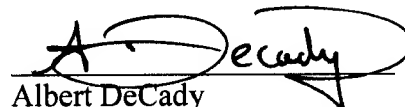
In view of the above, reconsideration and allowance of this application are now believed to be in order, and such actions are hereby solicited. If any points remain in issue which the Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned at the telephone number listed below.

RESPONSE UNDER 37 C.F.R. § 1.116
U.S. Application No.: 09/873,357

Q64734

The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

Respectfully submitted,


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